

REMARKS

The application was originally filed on April 6, 2001 with claims 1-15. A restriction requirement for claims 1-15 was issued on April 10, 2002 restricting claims 1-15 in to 3 groups. Group I was identified by the Patent Office as claims 1-11, group II was identified as claims 12 and 13 and Group III was identified as claims 14 and 15. Applicants elected Group I, claims 1-11, without traverse in a response to the restriction requirement filed on May 9, 2002.

Applicant's Amendment subsequently filed September 9, 2002 cancelled claims 2-5 and added new claims 16-33. The Office Action issued November 14, 2002 alleged that claims 16-33 were drawn to an invention that is independent or distinct from the invention originally claimed. Subsequently, in the Office Action issued February 28, 2003, claims 22-27 were rejoined. Hence, the present claims for consideration on the merits are 1, 6-11, and 22-27.

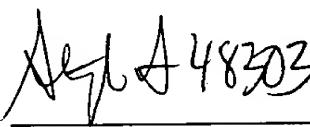
The Office Action issued on February 28, 2003 further cited an election of species. Specifically, the Office Action asserted that elements recited in the Markush Group of Claim 1 "represent numerous distinct compounds that have nothing in common." Hence, the Office Action required, under 35 U.S.C. 121, an election of a single disclosed species for prosecution on the merits to which the claims shall be restricted *if no generic claim is finally held to be allowable.*

Applicants filed a response on March 28, 2003 electing a nonabsorbable biocompatible solution as the required single disclosed species. An Examiner communication issued June 13, 2003 noted that "Applicant has not included a list of all claims readable thereon" and held Applicant's response filed March 28, 2003 not fully responsive.

In response to the Examiner's Communication, Applicants hereby submit a list of claims readable on the elected species. For the Examiner's convenience, Applicants also provide a list of all pending claims in the present application in the event that the Examiner determines allowable subject matter. It is believed that the present paper is fully responsive to the election of species requirement.

Applicant respectfully submits that the instant application is in condition for allowance. If the Examiner feels, however, that further amendment and/or discussion may be helpful in facilitating prosecution of the case, Applicant respectfully requests a telephone conference with the undersigned attorney of record.

Respectfully submitted,



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